

11398

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILE

ube

05 APR 22 PM 1:44

ROBERT R. DILLON
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

CHARTER OAK FIRE INSURANCE
COMPANY, THE TRAVELERS HOME
& MARINE INSURANCE COMPANY, THE
AUTOMOBILE INSURANCE COMPANY
OF HARTFORD, CONNECTICUT,

Plaintiffs,

vs.

Civil Action No.04-2941 MIV

WILLIAM DEAN RADEFELD, MARK
RADEFELD, THE BAKERY INC., and
BRENDA K. FULLER,

Defendants.

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on April 14, 2005. Present via telephone was Mark Dedman, counsel for Plaintiff, and Stuart Wilson, Reed Malkin and John P. Wade, co-counsel for Defendants. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26 (a) (1): by May 5, 2005

JOINING PARTIES: by June 21, 2005

AMENDING PLEADINGS: by June 21, 2005

INITIAL MOTIONS TO DISMISS: by July 21, 2005

COMPLETING ALL DISCOVERY: by December 21, 2005

- (a) DOCUMENT PRODUCTION: by October 21, 2005
- (b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:
Depositions by December 21, 2005; Interrogatories and Request for Admissions by
November 21, 2005.
- (c) EXPERT WITNESS DISCLOSURE (Rule 26):
 - (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: by
October 21, 2005
 - (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:
by November 21, 2005
 - (3) EXPERT WITNESS DEPOSITIONS: by December 21, 2005

FILING DISPOSITIVE MOTIONS: by January 21, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last two days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a) (1) (A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

DATE: April 21, 2005

APPROVED:

REED L. MALKIN
Attorney at Law
100 North Main Street, Suite 1909
Memphis, TN 38103

MARC O. DEDMAN
Attorney at Law
80 Monroe Avenue, Suite 500
Memphis, TN 38103

STUART A. WILSON
Attorney at Law
100 North Main Street, Suite 2304
Memphis, TN 38103

JOHN P. WADE, #022330
Attorney at Law
22 North Front Street, Suite 850
Memphis, TN 38103



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:04-CV-02941 was distributed by fax, mail, or direct printing on April 25, 2005 to the parties listed.

John P. Wade
STEWART & WILKINSON, PLLC
22 N. Front St.
Ste. 850
Memphis, TN 38103

William David Darnell
SPICER FLYNN & RUDSTROM-Memphis
80 Monroe Ave.
Ste. 500
Memphis, TN 38103--246

Reed L. Malkin
LAW OFFICE OF REED MALKIN
100 N. Main St.
Ste. 1909
Memphis, TN 38103

Stuart A. Wilson
SHUTTLEWORTH WILKINSON & WILSON
22 N. Front Street
Ste. 850
Memphis, TN 38103

Marc O. Dedman
SPICER FLYNN & RUDSTROM
80 Monroe Ave.
Ste. 500
Memphis, TN 38103--246

Honorable Jon McCalla
US DISTRICT COURT